

REMARKS

Claims 1, 4-7, 9-17, 19, 21, 23, 25-36, 40, 41, 44-50, and 52-59 are pending and stand rejected. Claims 1, 31, and 52 are in independent form and have been amended.

Claims 1 and 31 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,904,650 (“Wells”). Each of claims 1 and 31 have been amended to clarify that the handle has a longitudinally elongated outer surface for being held by an operator, and to clarify that at least a portion of the knob is disposed within the handle. Wells does not disclose such structures.

Instead, Wells discloses a retractor 10 having a blade 20, a receptacle 30, a handle 40, and a tightener 70. The blade 20 has a threaded portion that can be screwed into a top end of the handle 40. The tightener 70, which is located at a bottom end of the handle 40, may be rotated to move a shaft 60 up the bore 46 of the handle to thereby prevent the receptacle 30 from moving.

The office action asserts that the tightener 70 of Wells is sufficient to act as Applicant’s handle and that the handle 40 of Wells is sufficient to act as Applicant’s knob. While Applicant disagrees with this assertion, Applicant amended claims 1 and 31 to clarify that the handle has an elongated outer surface for being held by an operator and that at least a portion of the knob is disposed within the handle. Applicant submits that even with the Office Action’s interpretation of Wells, Wells does not disclose such structures. If anything, according to the Office Action’s interpretation, the handle (i.e. tightener) of Wells is short and does not have an elongated surface, as claimed. Further, according to the Office Action’s interpretation of Wells, the handle would be disposed within the knob, and thus, at least a portion of the knob could not be disposed within the handle, as claimed. Accordingly, Applicant submits that claims 1 and 31, and (claims 4-7, 9-17, 19, 21, 23, 25-30, 32-36, 40-41, and 44-50 which ultimately depend from one of claims 1 and 31) are in condition for allowance.

Claim 52 also stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Wells. Applicant has amended claim 52 to recite in part, a second coupling mechanism disposed on a backside of the handle proximate the proximal end of the handle. Wells does not disclose such a structure.

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Instead, Wells discloses a tightener 70 having a shaft 60 and a socket 66 that extends up an internal bore 46 of a handle 40. By rotating the tightener 70, the shaft 60 advances up the bore 46 until the socket 66 abuts a ball 50 that extends from a receptacle 30. Based on the disclosure of Wells, the shaft 60 and socket 66 must be internal to the handle 40 and cannot be disposed on a backside of the handle 40, as claimed. Accordingly, Applicant submits that claim 52 and (claims 53 -59 which ultimately depend therefrom) are in condition for allowance.

In view of the foregoing amendments and remarks, Applicant respectfully request favorable reconsideration and early passage to issue of the present application. Should the Examiner have any questions or comments concerning this submission, he is invited to call the undersigned at his convenience.

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